

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION**

<b>IN RE:</b>  <b>HIGH PLAINS RADIO NETWORK, LLC, DEBTOR.</b>	§ § § § § §	<b>CASE NO. 24-70089</b>
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**NOTICE OF HEARING**

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Please take notice that an expedited hearing has been set for **APRIL 10, 2024 AT 10:30 A.M.** before the Honorable Scott W. Everett, United States Bankruptcy Judge regarding the matters referenced and described below.

**The hearing will be conducted via WebEx.** The WebEx hearing instructions for the Court are attached below.

<b>For WebEx Video Participation/Attendance:</b>	<a href="https://us-courts.webex.com/meet/everett">https://us-courts.webex.com/meet/everett</a>
<b>For WebEx Telephonic Participation/Attendance:</b>	Dial-In: 1-650-479-3207 Access Code: 476 420 189

Filing Date	Docket Text
04/02/2024	<a href="#">15</a> (16 pgs; 2 docs) Motion regarding utilities. <i>Motion for Order (I) Prohibiting Utility Providers from Altering, Refusing, or Discontinuing Services and (II) Establishing Procedures for Determining Requests for Additional Adequate Assurance</i> Filed by Debtor High Plains Radio Network, LLC (Attachments: # <a href="#">1</a> Proposed Order) (Carruth, Jeffery)

Dated: April 5, 2024

Respectfully submitted:

WEYCER, KAPLAN, PULASKI & ZUBER, P.C.

By: /s/ Jeff Carruth  
JEFF CARRUTH (TX SBN: 24001846)  
2608 Hibernia, Suite 105  
Dallas, TX 75204-2514  
Telephone: (713) 341-1158  
Fax: (713) 961-5341  
E-mail: jcarruth@wkpz.com

PROPOSED ATTORNEYS FOR  
HIGH PLAINS RADIO NETWORK, LLC,  
DEBTOR AND DEBTOR IN POSSESSION

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served on April 5, 2024 (1) by electronic notice to all ECF users who have appeared in this case to date, and/or as set forth below and (2) by regular mail to all parties appearing in the attached service list.

**COPIES OF THE EXHIBITS WERE NOT SERVED BY REGULAR MAIL. PLEASE CONTACT THE UNDERSIGNED IF YOU WISH TO RECEIVE THE EXHIBITS.**

/s/ Jeff Carruth  
Jeff Carruth

**ECF SERVICE LIST**

**24-70089-swe11 Notice will be electronically mailed to:**

Jeffery D. Carruth on behalf of Debtor High Plains Radio Network, LLC

[jcarruth@wkpz.com](mailto:jcarruth@wkpz.com),

[jcarruth@aol.com](mailto:jcarruth@aol.com); [atty\\_carruth@trustesolutions.com](mailto:atty_carruth@trustesolutions.com); [carruthjr87698@notify.bestcase.com](mailto:carruthjr87698@notify.bestcase.com); [ATTY\\_CARRUTH@bluestylus.com](mailto:ATTY_CARRUTH@bluestylus.com)

Paul H. Cross on behalf of Creditor Hanmi Bank

[phclease@msn.com](mailto:phclease@msn.com)

Shanna M. Kaminski on behalf of Interested Party Union Funding Source, Inc.

[skaminski@kaminskilawpllc.com](mailto:skaminski@kaminskilawpllc.com)

Sherrel K. Knighton on behalf of Creditor Malakoff ISD

[Sherrel.Knighton@lgbs.com](mailto:Sherrel.Knighton@lgbs.com), [Dora.Casiano-](mailto:Dora.Casiano-)

[Perez@lgbs.com](mailto:Perez@lgbs.com); [Sean.French@lgbs.com](mailto:Sean.French@lgbs.com); [Eva.Parker@lgbs.com](mailto:Eva.Parker@lgbs.com); [Alexis.Hall@lgbs.com](mailto:Alexis.Hall@lgbs.com); [Dallas.Bankruptcy@lgbs.com](mailto:Dallas.Bankruptcy@lgbs.com)

Julie Anne Parsons on behalf of Creditor Eastland County Appraisal District

[jparsons@mvalaw.com](mailto:jparsons@mvalaw.com), [kalexander@mvalaw.com](mailto:kalexander@mvalaw.com); [theresa.king@mvalaw.com](mailto:theresa.king@mvalaw.com); [juanie.montalvo@mvalaw.com](mailto:juanie.montalvo@mvalaw.com)

Julie Anne Parsons on behalf of Creditor The County of Henderson, Texas

[jparsons@mvalaw.com](mailto:jparsons@mvalaw.com), [kalexander@mvalaw.com](mailto:kalexander@mvalaw.com); [theresa.king@mvalaw.com](mailto:theresa.king@mvalaw.com); [juanie.montalvo@mvalaw.com](mailto:juanie.montalvo@mvalaw.com)

Julie Anne Parsons on behalf of Creditor The County of Stephens, Texas

[jparsons@mvalaw.com](mailto:jparsons@mvalaw.com), [kalexander@mvalaw.com](mailto:kalexander@mvalaw.com); [theresa.king@mvalaw.com](mailto:theresa.king@mvalaw.com); [juanie.montalvo@mvalaw.com](mailto:juanie.montalvo@mvalaw.com)

Scott M. Seidel -SBRA V

[scott@scottseidel.com](mailto:scott@scottseidel.com), [csms11@trustesolutions.net](mailto:csms11@trustesolutions.net); [susan.seidel@earthlink.net](mailto:susan.seidel@earthlink.net)

Dawn Whalen Theiss on behalf of Creditor Small Business Administration

[dawn.theiss@usdoj.gov](mailto:dawn.theiss@usdoj.gov), [brooke.lewis@usdoj.gov](mailto:brooke.lewis@usdoj.gov); [CaseView.ECF@usdoj.gov](mailto:CaseView.ECF@usdoj.gov)

United States Trustee

[ustregion06.da.ecf@usdoj.gov](mailto:ustregion06.da.ecf@usdoj.gov)

David Weitman on behalf of Creditor Vertical Bridge REIT, LLC

[david.weitman@klgates.com](mailto:david.weitman@klgates.com)

## SERVICE LIST

SERVICE LIST		Case No. 22-51323		In re: Kuberlaxmi, LLC		UPDATED:		4/4/2024	
C:\Users\jcaruth\WD Office Echo\VAULT-C95L72TY\service list 001 4878-4499-4995 v.3.xlsx\Sheet1									
Name	Address1	Address2	Address3	City	State	Zip	Email	Method of Service / Comment	
BMI	PO Box 630893			Cincinnati	OH	45264-0893		Regular Mail	
Bryn Mawr Equipment Finance Inc.	801 Lancaster Avenue			Bryn Mawr	PA	19010-3305		Regular Mail	
Channel Partners Capital LLC	Attn Legal Department	1111 E College Drive	Suite 200	Marshall	MN	56258-1968		Regular Mail	
City of Altus	509 S Main St			Altus	OK	73521-3135		Regular Mail	
City of Hereford	PO Box 2777			Hereford	TX	76045-2777		Regular Mail	
City of Plainview	202 W 5th			Plainview	TX	76782-8232		Regular Mail	
City of Vernon	1725 Wilbarger St			Vernon	TX	76384-4741		Regular Mail	
Crest Capital	PO Box 88233			Atlanta	GA	30356-8233		Regular Mail	
CT Corp. Sys.	Attn: SPSS	330 N Brand Blvd		Glendale	CA	91203-2308		Regular Mail	
Eastland County Appraisal District	c/o Julie Parsons	McCreary, Veselka, Bragg & Allen, P.C.	P.O. Box 1269	Round Rock	TX	78680-1269	jparsons@mvalaw.com	NOA ECF	
Entergy Utility	PO Box 8105			Baton Rouge	LA	70891-8105		Regular Mail	
Federal Communications Com.	45 L Street NE			Washington	DC	20554-0001		Regular Mail	
Financial Agent Services	PO Box 2576			Springfield	IL	62708-2576		Regular Mail	
First State Bank Athens	PO Box 471			Athens	TX	75751-0471		Regular Mail	
Global Music Rights	1801 W Olympic Blvd			Pasadena	CA	91199-2280		Regular Mail	
Hanni Bank	5403 Olympic Dr. #200			Gig Harbor	WA	98335-1853		NOA ECF	
Hanni Bank	1107 E Pioneer Parkway			Arlington	TX	76010-5866		NOA ECF	
Hanni Bank	Attn: Paul Cross Esq.	11300 N. Central Expressway Ste. 604		Dallas	TX	75243	phclease@msn.com	NOA ECF	
Hanszen LaPorte	14201 Memorial Dr			Houston	TX	77079-6731		Regular Mail	
High Plains Radio Network, LLC	PO Box 1419			Vernon	TX	76085-1419		Regular Mail	
Hilachi Capital America Corp.	7808 Creekridge Circle	Suite 250		Edina	MN	55439-2647		Regular Mail	
Internal Revenue Service	Centralized Insolvency Operation	PO Box 7317		Philadelphia	PA	19101-7317		Regular Mail	
Jeffery D. Carruth	Weycer Kaplan Pulaski & Zuber, P.C.	2608 Hibernia	Suite 105	Dallas	TX	75204-2514	jcaruth@wkg.com	Regular Mail	
Liberty Mutual Insurance	175 Berkeley Street			Boston	MA	02116-3350		Regular Mail	
Literfund Solutions	99 Wal St #2613			New York	NY	10005-4301		Regular Mail	
Malakoff ISD	Lineberger Grogan Blair & Sampson, LLP	c/o Sherrel K Knighton	2777 N Stemmons Fwy, Ste. 1000	Dallas	TX	75207-2328	sherrel.knighton@lfb.com	NOA ECF	
Martin Leasing Corp	300 Fellowship Rd			Marion Laurel	WV	26084-1227		Regular Mail	
Media Facilities	1740 Dell Range Blvd #418			Cheyenne	WY	82009-4961		Regular Mail	
Meridian	367 Eagleview Blvd.			Exton	PA	19341-1156		Regular Mail	
Meridian Equipment Finance LLC	9 Old Lincoln Highway			Malvern	PA	19355-2551		Regular Mail	
Midland States Bank	1801 Park 270 Drive	Suite 200		St. Louis	MO	63146-4022		Regular Mail	
Mitsubishi HC	7201 Metro Blvd. Ste 800			Edina	MN	55439-1333		Regular Mail	
Monte Spearman	4837 Silverwood Dr.			Johnstown	CO	80534		direct email	
Monte Spearman	PO Box 3649			Palestine	TX	75602		Regular Mail	
New Lane Fin. B-M	801 Lancaster Ave			Bryn Mawr	PA	19010-3305		Regular Mail	
North Arkansas Electric	PO Box 1000			Salem	AR	72576-1000		Regular Mail	
Optimum Telephone	1111 Stewart Ave.			Bethpage	NY	11714-3581		Regular Mail	
Pawnee	3801 Automation Way #207			FT Collins	CO	80525-5735		Regular Mail	
SBA Covid-19 Disaster Loan	PO Box 3918			Portland	OR	97208-3918		NOA ECF	
Scott M. Seidel-SBRA V	Seidel Law Firm	6505 West Park Blvd	Suite 306	Plano	TX	75093-6212	scott@scottseidel.com	NOA ECF	
SecureNet	101 W Federal HWY Ste 601			Roca Raton	RI	03432-3969		Regular Mail	
SESAC	PO Box 5246			New York	NY	10008-5246		Regular Mail	
Summit	4680 Parkway Dr #300			Mason	OH	45040-7979		Regular Mail	
Summit Natural Gas	PO Box 676358			Dallas	TX	75267-6358		Regular Mail	
Texas Comptroller	Rev Acct Div - Bankruptcy Section	PO Box 13528		Austin	TX	78711-3528		Regular Mail	
The County of Henderson, Texas	c/o Julie Anne Parsons	McCreary Veselka Bragg & Allen, P.C.	P.O. Box 1269	Round Rock	TX	78680-1269	jparsons@mvalaw.com	NOA ECF	
The County of Stephens, Texas	c/o Julie Anne Parsons	McCreary Veselka Bragg & Allen, P.C.	P.O. Box 1269	Round Rock	TX	78680-1269	jparsons@mvalaw.com	NOA ECF	
The Fundworks	299 S. Main St. #1300			Salt Lake City	UT	84111-2241		Regular Mail	
Turbo Capital	2308 N Market St			Wilmington	DE	19802-4230		Regular Mail	
TXU Utility	PO Box 650638			Dallas	TX	75265-0638		Regular Mail	
U.S. Bank Equipment Finance	1310 Madrid Street			Marshall	MN	56258-4099		Regular Mail	
U.S. Small Business Administration	1545 Hawkins Blvd Ste 202			El Paso	TX	79925-2654		NOA ECF	
U.S. Small Business Administration	c/o Dawn Whalen Theiss	1100 Commerce St Ste 300		Dallas	TX	75242	dawn.theiss@usdoj.gov	NOA ECF	
United First LLC	2999 NE 191st St			Miami	FL	33180-3123		Regular Mail	
United Funding	1835 E Hollandale Beach BLVD			Hollandale Beach	FL	33009-4619		NOA ECF	
United Funding	Sharna M. Kaminski	Kaminski Law, PLLC	P.O. Box 247	Holland Lake	MI	49240	skaminski@kaminskilawpllc.com	NOA ECF	
United States Trustee	1100 Commerce Street	Room 976		Dallas	TX	75242-0996	ern.schmidt2@usdoj.gov	NOA ECF	
Verizon Cell Phone	PO Box 660108			Dallas	TX	75266-0108		Regular Mail	
Vertical Bridge REIT LLC	750 Park of Commerce Dr #200			Boca Raton	FL	33487-3650		NOA ECF	
Vertical Bridge REIT LLC	Brandy A. Sargent	K&L Gates	One SW Columbia St., Ste 1900	Portland	OR	97204	brandy.sargent@klgates.com	NOA ECF	
Vertical Bridge REIT LLC	David Weitman	K&L Gates	1717 Main Street Suite 2800	Dallas	TX	75201	david.weitman@klat.com	NOA ECF	
Xcel Energy	Attn Bankruptcy Department	PO Box 9477		Minneapolis	MN	55484-0001		Regular Mail	
Zula Com	PO Box 3649			Palestine	TX	75802-3649		direct email	

## **WebEx Hearing Instructions**

### **Judge Scott W. Everett**

Pursuant to General Order 2023-05 issued by the Court on September 19, 2023, hearings before Judge Scott W. Everett will be conducted pursuant to the guidelines set forth in the General Order unless ordered otherwise.

#### **For WebEx Video Participation/Attendance:**

Link: <https://us-courts.webex.com/meet/everett>

#### **For WebEx Telephonic Only Participation/Attendance:**

Dial-In: 1-650-479-3207; Access code: 476 420 189

#### **Participation/Attendance Requirements:**

- Counsel and other parties-in-interest who plan to actively participate in the hearing are encouraged to attend the hearing in the WebEx video mode using the WebEx video link above. Counsel and other parties-in-interest who will not be seeking to introduce any evidence at the hearing and who wish to attend the hearing in a telephonic-only mode may attend the hearing in the WebEx telephonic-only mode using the WebEx dial-in and access code above.
- Attendees should join the WebEx hearing at least 10 minutes prior to the hearing start time. Please be advised that a hearing may already be in progress. During hearings participants are required to keep their lines on mute when they are not addressing the Court or otherwise actively participating in the hearing. The Court reserves the right to disconnect or place on permanent mute any attendee that causes any disruption to the proceedings. For general information and tips with respect to WebEx participation and attendance, please see Clerk's Notice 20-04: [https://www.txnb.uscourts.gov/sites/txnb/files/hearings/Webex%20Information%20and%20Tips\\_0.pdf](https://www.txnb.uscourts.gov/sites/txnb/files/hearings/Webex%20Information%20and%20Tips_0.pdf)
- Witnesses are required to attend the hearing in the WebEx video mode, and live testimony will only be accepted from witnesses who have the WebEx video function activated. Telephonic testimony without accompanying video will not be accepted by the Court. The Court may consider special requests for other appearance options on a case-by-case basis.
- All WebEx hearing attendees are required to comply with Judge Everett's Telephonic and Videoconference Hearing Policy (included within Judge Everett's Judge-Specific Guidelines): <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-everetts-hearing-dates>.

#### **Exhibit Requirements:**

- Any party intending to introduce documentary evidence at the hearing must file an exhibit list in the case with a true and correct copy of each designated exhibit filed as a separate, individual attachment thereto so that the Court and all participants have ready access to all designated exhibits.
- In addition, for evidentiary hearings, when more than ten exhibits have been filed in ECF or when the total page count of all exhibits exceeds 500 pages, Judge Everett requests a thumb/USB drive be delivered to him prior to the hearing at: U.S. Bankruptcy Court, Attn: Stephen Manz, 1100 Commerce Street, Room 1254, Dallas, TX 75242.
- Paper copies of exhibits are not encouraged; however, paper copies may be provided to the witness(s) at an in-person hearing if preferred.

#### **Notice of Hearing Content and Filing Requirements:**

**IMPORTANT:** For all hearings that will be conducted by WebEx only:

- The Notice of Hearing filed in the case and served on parties in interest must: (1) provide notice that the hearing will be conducted by WebEx videoconference only, (2) provide notice of the above WebEx video participation/attendance link, and (3) attach a copy of these WebEx Hearing Instructions or provide notice that they may be obtained from Judge Everett's hearing/calendar site: <https://www.txnb.uscourts.gov/judges-info/hearing-dates/judge-everetts-hearing-dates>.

- When electronically filing the Notice of Hearing via CM/ECF select “at <https://us-courts.webex.com/meet/everett>” as the location of the hearing (note: this option appears immediately after the first set of Wichita Falls locations). Do not select Judge Everett’s Dallas courtroom as the location for the hearing.

#### **CONNECTION INSTRUCTIONS FOR PARTICIPATING IN A WEBEX VIRTUAL HEARING**

The Court will allow participation in a virtual hearing using either of the following two methods. Please connect at least 10 minutes prior to the hearing time. It is recommended that attorneys discuss the logistics of the WebEx appearance with their clients/witnesses at least 48 hours before the hearing.

##### **Option 1: Using the WebEx app on your smartphone, tablet, laptop, or desktop.**

Please connect using only one device. Using two or more devices may cause audio feedback issues.

If using a phone or tablet for video, it should be set in a stationary position. Holding a phone or tablet in your hand while speaking does not yield a good video for the court.

NOTE: If you are experiencing audio issues when using the WebEx application, you may use the “Call Me At” selection under “Audio Connection” to move just the audio portion of the WebEx conference to your telephone.

##### **Option 2: Call in via phone (audio only).**

Webex dial-in number: 1-650-479-3207 (access code: 476 420 189).

#### **HELPFUL HINTS AND ETIQUETTE**

- Please use the mute function when you are not speaking. Please be aware that sometimes the court mutes everyone when there is background noise. When you want to speak, make sure you are not on mute. Call-in users should dial \*6 to unmute your line.
- Remember to state your name for the record each time before speaking and speak slowly and clearly so the Court can get a good record.
- Use headphones whenever possible, especially if using a desktop PC with external speakers. We have found that newer iPhones provide the best visual and audio feed – better than most desktop computers. If you are on a personal computer, headphones or earbuds are required for those who need to speak during the hearing.
- During examination, attorneys and witnesses should use a separate camera and microphone when possible. To avoid feedback, parties using separate devices must not be in the same room. The Court may consider special requests on a case-by-case basis.
- WebEx participants may use the "share" button to easily share their screen or document with the Court or other WebEx participants. Press “stop sharing” to remove the presentation from the meeting.
- When making an appearance from a vehicle, please park in a safe location with windows rolled up (to minimize background distraction and noise) and use a headset that is ear-to-phone (not the vehicle’s hands-free speaker-phone option).
- Suggestions for participating in a WebEx hearing from home: If you are having connectivity problems, turn off devices that may be using bandwidth on your home network. Devices or applications such as Facetime, Roku, streaming media players, video games, or large downloads can negatively impact the audio and video quality of the WebEx meeting.
- Participants are reminded that they should wear attire suitable for court.
- Participants who wish to test their WebEx connection or the share screen functionality in advance of the hearing may arrange a “practice run” by contacting the courtroom deputy.

EXHIBITS AND DEMONSTRATIVE AIDS

Exhibits should be filed ahead of time by the date that they would normally be exchanged pursuant to our local rules using the "list (witness/exhibit/generic)" OR "notice (generic)" OR "Support/Supplemental document" event in ECF.

Demonstrative aids and Power Points should also be filed prior to the hearing, if possible. If not, WebEx has the ability to allow you to share your screen, or a particular document, with everyone in the hearing. If these documents are admitted as exhibits, they would then have to be filed after the hearing.

- During the hearing, lawyers can refer to (and offer) their exhibits by referencing the exhibit's docket number for the court and all to access. After the hearing, the court will create a Minute Entry reflecting which exhibits were admitted. You should consider emailing exhibits to witnesses ahead of time since they may not have access to PACER.
- In addition for evidentiary hearings, when more than ten exhibits have been filed in ECF or when the total page count of all exhibits exceeds 500 pages, Judge Everett requests a thumb/USB drive be delivered to him prior to the hearing at: U.S. Bankruptcy Court, Attn: Stephen Manz, 1100 Commerce Street, Room 1254, Dallas, TX 75242.
- Paper copies of exhibits are not encouraged; however, paper copies may be provided to the witness(s) at an in-person hearing if preferred.